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SUBJECT: GOSS MINISTER FOR PRESIDENTIAL AFFAIRS DENG ON ABYEI AND
THE ELECTIONS

REF: KHARTOUM 941

1. (SBU) Summary: GOSS Minister for Presidential Affairs discussed Abyei and elections the afternoon of June 24. While recognizing the risks of arbitration as called for in the new Abyei roadmap signed on June 8, the SPLM sees it as the only way to bring pressure on the NCP to agree on a final Abyei border. The election law, the Minister assured the CG, would be agreed to in the next day or two when Vice President Kiir holds talks in Khartoum on Wednesday or Thursday (June 25-26) of this week. End Summary.

2. (SBU) Deng began the meeting by asking the CG if the American government backed the new Abyei roadmap signed by the NCP and the SPLM on June 8. He appeared to be surprisingly anxious on this subject, apparently fearful that the USG might think that the SPLM had made a mistake in entering into the accord. The CG assured the Minister that the USG did, indeed, consider the agreement a positive step forward. CG observed that the oil wealth sharing provisions of the accord showed movement by the NCP, and that the interim boundaries agreed to by the SPLM also showed some flexibility in dealing with this difficult issue. The US remains concerned about the implementation of many other aspects of the agreement, such as the appointment of an Administrator for Abyei and the expeditious withdrawal of SPLA and SAF forces from the region.

3. (SBU) Deng seemed relieved to hear the CG's reassurances on US support for the road map, acknowledged the problems that still lay ahead in implementing it, and indicated the SPLM felt it had no choice in the matter but to go to arbitration. "The NCP," he said, "refuses to talk to us. We have offered them an oil for land deal, and that approach has not worked." He understood, he said, that the arbitration panel might rule against the ABC Report. The SPLM, he said, was willing to risk that for two reasons. First, if they won, even if the NCP refused to implement the arbitration decision, it would put new international pressure on them to negotiate seriously on the Abyei border and would strengthen the SPLM hand in those talks. If the ruling went against the ABC Report, then at least the panel would set the border. Even if the new borders were not as favorable as the ABC ones, the question could finally be settled and the parties could move on.

4. (SBU) During the conversation Deng received a phone call that visibly upset him. He stepped out of the room and when he returned he explained that he had just been informed that the NCP was moving its own police force into Abyei without GOSS concurrence, in violation of the roadmap agreement, and he had just called his contacts in the NCP to warn them not to proceed (reftel). If they did, the GOSS would also move its own police into Abyei, which was sure to provoke a fight. He indicated that "our old friend Haroun" the ICC indicted war criminal, was behind this move. Deng was confident, however, that he had been able to block the move.

5. (SBU) When asked about progress on appointing an administrator for Abyei, Deng indicated that a name had been agreed upon in the

SPLM that VP Kiir would take to Khartoum. Deng declined to reveal the name, but indicated he was confident that it would be acceptable to Bashir (reftel).

¶16. (SBU) CG reminded Deng of his request to have a State Department lawyer come to Juba to advise them on the arbitration process. Deng reaffirmed that they wanted the help, but also indicated that they were interested in our view of the American law firm, Public International Law and Policy Group (PILPG). They were considering engaging the firm to represent the SPLM in the arbitration process, and very much wanted our opinion of their credibility and reputation. The CG said he would pass this request on to the Department.

¶17. (SBU) On elections, Deng said that negotiations were continuing, and that FVP Kiir would be carrying a proposal with him to Khartoum to present to Bashir. He expected an announcement on the law by them no later than Thursday, but he declined to go into details at this time about the nature of the SPLM proposal. (Note: As reported septel, SPLM Northern Sector Deputy SG Yasir Arman and NCP negotiator and parliamentarian Dirdeiry Mohammed confirmed to poloff June 24 that the two sides have reached a deal on the elections law, with the NCP conceding to state-level lists and the SPLM conceding to a 60-40 mixed voting system. End note.)

¶18. (SBU) Comment: The SPLM appears to be aware of the risks it is taking by going into arbitration over Abyei, but seems willing to take them in order to either put new international pressure on the NCP to reach a full settlement, or to have the panel set the borders and be done with the issue. Deng did not preclude continuing to work on a political agreement in parallel with the arbitration process, but was pessimistic the NCP would agree to more talks

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unless it became apparent to them they were going to lose in arbitration. This is quite possibly posturing on his part, since the NCP has indicated a willingness to the embassy in the past to resume talks on the border, and if it can confirm such an interest, it may be possible to get the two sides into discussions again. Deng said the SPLM would welcome the return of Special Envoy Williamson to help with border negotiations, should they restart. Without a doubt, the SPLM is eager to put the Abyei issue behind it, and is eager to maneuver the NCP into an end game to resolve the crisis one way or another. This is very positive because as we saw last month, fighting can erupt in Abyei at any time, especially given that SAF forces still have not withdrawn, and SPLA forces are no more than a stone's throw to the South.

FERNANDEZ